Application No. 09/425,118
Reply to Office Action of July 30, 2003

<u>Remarks</u>

The present application includes claims 1-39. Claims 2, 4, 9-11, 13, 18-20, and 26-28 have been amended. Claims 35-39 have been canceled, per a telephone conference with the Examiner during which the Applicant elected to pursue claims 1-34. The Applicant reserves the right to pursue the subject matter of claims 34-39 in a continuation application.

In the Office Action, it was stated that claims 2, 4-9, 11, 14-18, 27, and 29-33 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Consequently, the Applicant has amended claims 2, 11, and 27 into independent form including all of the limitations of the base claim and any intervening claims.

Claims 10 and 19 were objected to because of informalities. The Applicant has amended claim 10 to include the word "receiver" after the word "downlink" in line 3 of claim 10. The Applicant has also amended claim 19 to include the word "for" after the word "multiplexer" in line 2 of claim 19 and the word "router" in line 9 of claim 19.

Claims 9 and 18 have been amended to correct a typo. The word "integrates" has been corrected to read as "integrated".

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Claims 4, 13, 20-25, and 28 were rejected under 35 U.S.C. § 112, first paragraph

as containing subject matter which was not described in the specification in such a way as

to enable one skilled in the art to which it pertains, or with which it is most nearly

connected, to make and/or use the invention.

Claims 4, 13, 20, and 28 have been amended to clarify that the HTTP server is

for communicating with an external device via a web browser. For example, the block

diagram of Figure 1 illustrates an embodiment of the EDS card that includes an HTTP

server. Pages 25 and 26 of the specification describe some of the uses for the HTTP

server. For example, data may be retrieved from the HTTP server by an external device

through either a LAN communicating with the Ethernet port or a modem communicating

with the Auxiliary RS-232 Port (page 25, lines 13-15).

Consequently, claims 4, 13, and 20 have been amended to clarify that the

integrated satellite receiver and router includes an HTTP server for communicating with

an external device via a web browser. Likewise, claim 28 has been amended to clarify

that the Ethernet Digital Storage card includes an HTTP server for communicating with

an external device via a web browser. Claims 21-25 depend from claim 20 and the

Applicant respectfully submits that the amendment to claim 20 clarifies claims 21-25.

Claims 4, 13, and 28 were rejected under 35 U.S.C § 112, second paragraph as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention because claims 4, 13, and 28 recited the

limitation "said EDS card".

As presented above, the Applicant has amended claims 4, 13, and 28 in order to clarify that the HTTP server is for communicating with an external device via a web browser. As a part of this clarification, the Applicant removed the term "said EDS card" when amending claims 4, 13, and 28. Consequently, the Applicant respectfully submits that the objection under 35 U.S.C § 112, second paragraph has been rendered moot.

Claims 1 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Dawson (U.S. Pat. No. 5,594,490).

Dawson presents a system for distributing video and audio files from a central location to a plurality of cable headends. As depicted in Figure 1, the system of Dawson includes a central distribution location 3 that provides digital data files to a satellite uplink facility 25. The central distribution location 3 includes a smart LAN-bridge (SLB) 15 and a customer service unit/digital service unit (CSU/DSU) 19. The SLB 15 forwards data packets to the CSU/DSU 19. The CSU/DSU 19 directs the data packets over link 21 to CSU/DSU 23 at the satellite uplink facility 25 (col. 7, lines 36-40).

The satellite uplink facility 25 transmits the data packets to a satellite 31 and the satellite 31 relays the data packets to a cable headend 5. As depicted in Figure 2, the headend 5 receives the data packets at a modem 33 and forwards the data packets for error detection to FEC error corrector/detector 35. FEC error corrector/detector 35 forwards correctly received data packets to SLB 37 (col. 9, line 13). SLB 37 forwards correctly received data to receiver server 39 (col. 9, line 15). SLB 37 also sends

corresponding requests for re-transmission of incorrectly received data to central distribution location 3 (col. 9, line24).

While SLB 37 forwards data packets, SLB 37 does not route data packets. SLB 37 is a bridge. SLB 37 is not a router. A bridge operates at the data link layer known as OSI layer 2 and looks at MAC addresses to determine where data should be directed. A router operates at the network layer known as OSI layer 3 and uses destination IP addresses to determine where data should be directed. A router is more complicated than a bridge in that a router can determine where to send data packets and select a data path to the destination. Dawson suggests using a receiver (headend 5) with a bridge. Dawson does not disclose or suggest using a receiver with a router.

Additionally, as mentioned above, the central distribution location 3 includes a smart LAN-bridge (SLB) 15. However, the central distribution location 3 also includes a CSU/DSU 19 to route data packets. Data packets are forwarded from the SLB 15 to the CSU/DSU 19 for routing (col. 7, line 54, which states that CSU/DSU may be replaced with a conventional router). The data packets are forwarded from SLB 15 to CSU/DSU 19 for routing because the SLB 15 is a bridge and not a router.

Like the central distribution location 3 of Figure 1, the cable headend 5 of Figure 2 also includes an SLB 37. However, unlike the central distribution location 3, the headend 5 does not include a CSU/DSU (or a conventional router). Thus, Dawson does not disclose or suggest a satellite receiver with a router. Dawson discloses a satellite receiver with a bridge.

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Consequently, Dawson does not disclose or suggest the limitation of "an integrated satellite receiver and router" in claims 1 and 10. Thus, the Applicant respectfully submits that claims 1 and 10, and their respective dependent claims 3-9 and 12-18, are not anticipated by Dawson under 35 U.S.C. § 102(b).

Claim 26 was rejected under 35 U.S.C. 102(b) as being anticipated by Daane (U.S. Pat. No. 5,818,830).

Daane presents a system for increasing the effective bandwidth of a digital wireless network. Daane suggests increasing the effective bandwidth by dynamically allocating bandwidth based upon the needs of devices connected to the network (col. 2, lines 37-39).

Figure 5 illustrates a wireless Ethernet with three devices: a first computer 402, a second computer 404, and a third computer 406. Mounted to the back of each device 402, 404, and 406 is an Ethernet card 408 (col. 6, line 54). Included on each Ethernet card 408 is a transceiver 410 and a device driver 412 (col. 6, line 55). The device driver 412 is a processor that is programmed to decode incoming transmissions for the computer's operating system and encode data from the operating system for outgoing transmissions (col. 6, lines 59-62).

The system of Daane provides only a single channel for RF communications and only one device can transmit at a time (col. 6, lines 49-52). When a device is transmitting or receiving, the device driver 412 encodes or decodes the data stream. Storage of the data stream is only transitory in nature and only the data stream being encoded or

decoded is being temporarily stored. Thus, Daane does not disclose or suggest storing portions of a plurality of data streams.

The Applicant has amended claim 26 to include the limitation "wherein said flash memory storage is capable of storing portions of a plurality of received data streams". Consequently, the Applicant respectfully submits that amended claim 26 and its dependent claims 28-33 are not anticipated by Daane under 35 U.S.C. § 102(b).

Claims 3 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dawson (U.S. Pat. No. 5,594,490).

Claims 3 and 12 depend from independent claims 1 and 10, respectively. As presented above with respect to claims 1 and 10, Dawson suggests using a receiver with a bridge. Dawson does not suggest using a receiver with a router. Thus, Dawson does not teach the limitations in independent claims 1 and 10, and their respective dependent claims 3 and 12, of an "integrated satellite receiver and router."

Furthermore, Dawson does not disclose or suggest an integrated satellite receiver and router that includes a multicasting processor. Nor has any prior art been cited that discloses or suggests an integrated satellite receiver and router that includes a multicasting processor.

Thus, neither Dawson nor any cited prior art, alone or in combination, discloses or suggests an integrated satellite receiver and router that includes a multicasting processor. Consequently, the Applicant respectfully submits that claims 3 and 12 are not rendered obvious by Dawson under 35 U.S.C. § 103(a).

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Claim 19 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Birdwell (U.S. Pat. No. 6,172,972) in view of Dawson (U.S. Pat. No. 5,594,490).

The Office Action states that Birdwell fails to teach a downlink for receiving said TCP/IP packets to an integrated satellite receiver and router. As discussed above with respect to claims 1 and 10, Dawson also fails to teach an integrated satellite receiver and router.

Dawson presents a receiver (headend 5) that includes a bridge 37. The receiver in Dawson does not include a router. Thus, Dawson does not disclose or suggest an integrated satellite receiver and router.

Thus, neither Birdwell nor Dawson teaches, alone or in combination, an integrated satellite receiver and router. Consequently, the Applicant respectfully submits that claim 19 has not been rendered obvious by Birdwell in view of Dawson under 35 U.S.C. § 103(a).

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Conclusion

For the reasons discussed above, the Applicant respectfully submits that claims 1-33 should be in condition for allowance.
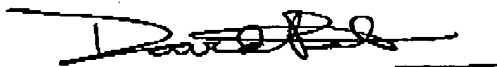
The Applicant looks forward to working with the Examiner to resolve any remaining issues in the application.

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., account number 13-0017.

Respectfully submitted,

Dated: _October 30, 2003_

David R. Beto
Reg. No. 51,467

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison, 34th Floor
Chicago, Illinois 60661
telephone: (312) 775-8000
facsimile: (312) 775-8100